



Docket Number

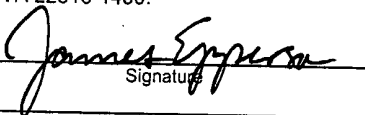
PH-7148

**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

James Epperson

Type or print name

  
Signature5/21/2003  
Date**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF Scott E. Priestley

APPLICATION NO: 10/039317

EXAMINER: unknown

FILED: 10/28/2001

ART UNIT: unknown

FOR: Peptide Inhibitors of Hepatitis C Virus NS3 Protease

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**Request for corrected filing receipt under 37 CFR 1.10(d)**

Application 10/039317 was accorded a filing date of October 28, 2001. The applicants filed the application under 37 CFR 1.10 on October 23, 2001. The applicants requested a corrected filing receipt on April 22, 2002. A response from the PTO for this request was sent on May 28, 2002 denying the request because a copy of the Express Mail label was not enclosed.

The applicants again petition for a corrected filing receipt of October 23, 2001 under 37 CFR 1.10(d). The applicants provide the following material for this showing:

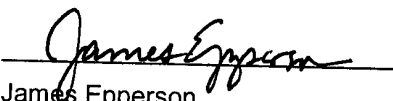
- a USPS printout showing a USPS acceptance date of October 23, 2001 for article EV000875830US
- a copy of our postcard showing the Express Mail label of EV000875830US for application 10/039317
- a copy of the Express Mail label for article EV000875830US with the date-in omitted
- The application transmittal form for application 10/039317 showing the Express Mail label EV000875830US and a date of October 23, 2001

The applicants believe these materials show that application 10/039317 was properly delivered by Express Mail on October 23, 2001 with the date-in notation missing and should be accorded a filing date of October 23, 2001. Copies of the request of April 22, 2002 and the response of May 28, 2002 are included.

The applicants believe the USPS erred in not filling in the date-in section. Accordingly, no fees are required. However, if any fees are required, the Commissioner is authorized to charge Deposit Account No. 19-3880 in the name of Bristol-Myers Squibb Company.

Respectfully submitted,

Bristol-Myers Squibb Company  
Patent Department  
P.O. Box 4000  
Princeton, NJ 08543-4000

  
James Epperson  
Agent for Applicants  
Reg. No. 52,867  
Phone: (203) 677-6974

Date: 5/21/2003

**usps.com**[Home](#) | [Sign In](#) | [Find ZIP Codes](#) | [Calculate Postage](#) | [Change Address](#) | [Locate Post Offices](#) | [Track/Co](#)[Shipping center](#)[Ship](#)[Rates](#)[Supplies](#)[Web Tools](#)[Track & Confirm](#)[Delivery Confirmation](#)[Signature Confirmation](#)[Keyword/Search](#)

## ► Shipping center *Track & Confirm*

### Delivery Status

You entered EV00 0875 830U S

Your item was accepted at 3:34 pm on October 23, 2001 in WILMINGTON, DE 19805. No further information is available for this item.

[Request Delivery Record >](#)

### Track & Confirm

Enter number from shipping receipt the field below:

 [Go](#)

**POSTAL INSPECTORS**  
Preserving the Trust

[site map](#) | [contact us](#) | [FAQs](#) | [search](#) | [keywords](#)

Copyright © 1999-2001 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)

**EX**  
**MA**  
ATES PO:  
**COR**  
POSTAG

THE STAMP OF THE PATENT OFFICE HEREON ACKNOWLEDGES THE RECEIPT, ON THE DATE INDICATED, OF THE FOLLOWING:

☒ SPECIFICATION (pp 179)  
# OF CLAIMS 15

☐ DRAWINGS\_SHEET(S)

☒ DECLARATION/POWER OF ATTORNEY

# OF PAGES 2 ☐ EXECUTED ☒ UNEXECUTED

☒ FEE \$ 740.00

☐ AMENDMENT/RESPONSE

☐ IDS AND FORM PTO-1449

# OF REFERENCE(S)

☒ OTHER Utility, Fee Transmittal, ADJ Sheet

☐ PETITION FOR EXT. OF TIME  
# OF MONTHS \_\_\_\_\_

☐ NOTICE OF APPEAL

☐ ELECTION

☐ LETTER

☐ ASSIGNMENT

☐ AFFIDAVIT

☐ AFFIDAVIT  
☐ TERMINAL

**TERMINAL DISCLAIMER**

☐ ISSUE FEE

# 22-1811 For Pic

# avayes



EV 000875830 US



**POST OFFICE  
TO ADDRESSEE**

ORIGIN (POSTAL USE ONLY)				DELIVERY (POSTAL USE ONLY)			
PO ZIP Code		Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second		Flat Rate Envelope <input type="checkbox"/>		Delivery Attempt	
Date in Mo.   Day   Year		Time in <input type="checkbox"/> AM <input type="checkbox"/> PM		Postage \$		Time <input type="checkbox"/> AM <input type="checkbox"/> PM	
Weight lbs.      ozs.		Military <input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM		Return Receipt Fee		Employee Signature	
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		Int'l Alpha Country Code		COD Fee		Employee Signature	
Acceptance Clerk Initials		Total Postage & Fees \$		Insurance Fee		Employee Signature	
CUSTOMER USE ONLY METHOD OF PAYMENT: Express Mail Corporate Acct. No. <b>X198009 007</b>				NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday			
FROM: (PLEASE PRINT)  LEGAL DIVISION DUPONT PHARMACEUTICALS CO CHESTNUT RUN PLAZA WR 1ST18 974 CENTRE RD WILMINGTON  DE 19805-1269  PH-7148				TO: (PLEASE PRINT)  Asst. Commissioner for Patents Box Patent Application Washington DC 20231			
FEDERAL AGENCY ACCT. NO. OR POSTAL SERVICE ACCT. NO.				CUSTOMER SIGNATURE			
PRESS HARD. You are making 3 copies.				FOR PICKUP OR TRACKING CALL 1-800-222-1811      www.usps.com			

Please type a plus sign (+) inside this box →



Feb

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. PH-7148

First Inventor PRIESTLEY, S., ET. AL.

Title PEPTIDE INHIBITORS OF HEPATITIS C VIRUS NS3 PROTEASE

Express Mail Label No. EV000875830 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 179]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets ]
5. Oath or Declaration [Total Pages ]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
  - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: \_\_\_\_ /

Prior application information: Examiner \_\_\_\_

Group / Art Unit: \_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

24348

PATENT TRADEMARK OFFICE

or ☐ Correspondence address below

Name BLAIR Q. FERGUSON

Address BRISTOL-MYERS SQUIBB PHARMA COMPANY  
974 CENTRE ROAD

City WILMINGTON

State

DE

Zip Code

19805

Country U.S.A.

Telephone

(302) 892-1676

Fax

(302) 992-3999

Name (Print/Type)

BLAIR Q. FERGUSON

Registration No. (Attorney/Agent)

34,329

Signature

Date

23 October 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: E. Scott Priestley

Serial No.: 10/039,317

Art Unit: 1646

Filed: October 28, 2001

Examiner: UNKNOWN

For: PEPTIDE INHIBITORS OF HEPATITIS C VIRUS NS3 PROTEASE

Assistant Commissioner for Patents  
Washington, DC 20231

**REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

Attached is a copy of the official filing receipt received from the PTO in the above-identified application for which issuance of a corrected filing receipt is respectfully requested.

There is an error with respect to the filing date. The filing date should be corrected to reflect the Express Mail Date of October 23, 2001. Please see attached printout from usps.com which shows a mailing date of October 23, 2001 for Express Mail No. EV000875830US and a copy of our postcard which reflects same express mailing number and contents mailed on October 23, 2001. The correction is not due to any error by applicant and no fee is due.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott K. Larsen".

Scott K. Larsen, Ph.D. J.D.  
Attorney for Applicant(s)  
Registration No. 38,532  
Telephone: 302-467-5261

Date: Apr 1 22, 2002



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10039317	10/28/01	E. Scott Priestley	SKL 71

BRISTOL-MYERS SQUIBB PHARMA  
COMPANY, P. O. BOX 4000

PRINCETON, NJ 08543-4000

MAY 28 2002

Docketed Item \_\_\_\_\_

Due Date \_\_\_\_\_

Attorney SKL

Date Mailed: 05/23/2002

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Application Filing Date

DOCKETED 6/6/02

Due Date: \_\_\_\_\_

No Action Required dmk

In response to your request for a corrected Filing Receipt dated 04/22/2002, the Office cannot comply with your request because:

- ☐ If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, a petition to accord a filing date should be submitted along with a copy of the Express Mail label showing the "date in" and be directed to the Office of Petitions.
- ☒ A copy of the Express Mail label was not enclosed with your request. Petitions under 37 CFR 1.10 require a copy of the Express Mail Label to be submitted.
- ☐ The "date in" on the Express Mail label is the date given on the Filing Receipt.
- ☐ The filing date accorded to the application is the date the application met the filing date requirements of 37 CFR 1.53(b) or (c).
- ☐ Applications submitted with a certificate of mailing under 37 CFR 1.8 are accorded a filing date as of the date the application is received in the U.S. Patent and Trademark Office. A request to review the filing date accorded to the application must be in the form of a petition.
- ☐ The filing date on your return postcard is the same as the date on your Filing Receipt. A request to review the filing date accorded to the application must be in the form of a petition.

7

A petition under 37 CFR 1.10, 37 CFR 1.53 or 37 CFR 1.182 is needed to request a change to the filing date. A \$130 petition fee is required for a petition under 1.53 or 1.182. If you choose to file a petition, the petition and the \$130 petition fee, if any, should be directed to:

Box DAC  
Commissioner for Patents  
Washington, DC 20231

---

Nasima Hassani  
Nasima Hassani

Customer Service Center  
Initial Patent Examination Division  
(703) 308-1202

Attorney/Applicant Copy